IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 27163 of 1996

Between:

S. B. Pochaiah, s/o. Narasiah, r/o. 1-4-64/31, Ramnagaar, Bholokpur, Hyderabad.

..... PETITIONER

AND

1 Regl. Provident Fund Commissioner, 6, Hazuri Lane, Naupada, Thane- 400602.
2 Bayer (India) Ltd., rep. by its Managing Director., Express Towers, Nariman Point, Mumbai.
3 Bayer (India) Ltd., rep by Branch Manager, Secunderabad.

(Second Respondent not necessary to this Writ Petition)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass any order or direction or a writ more particularly in the nature of Writ of Mandamus, declaring the action of the 1st respondent in not furnishing the Annual Account Slip for the years 93-94 and 94-95 and not paying interest on the amount of provident Fund from March 95 till date of payment as illegal, highly arbitrary contrary to Law, violative of principles of Natural Justice and infringing the Fundamental Rights guaranteed under Articles 14 and 16 of the Constitution of India and direct the respondent No. 1 to pay the amount immediately, with interest till payment.

Counsel for the Petitioner:MS.B.H.BHARATI DEVI

Counsel for the Respondent No.1: MR.R.N.REDDY, SC for Employees Provident Fund.

Counsel for the Respondent Nos. 2 and 3: None appeared.

The Court made the following :

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ORDER:

The petitioner who has been appointed by the second respondent to work at their Secunderabad Brach, third respondent herein, filed this Writ Petition inter alia, seeking for certain arrears to which he is entitled to consequent upon availing the Voluntary Retirement Service. Though it has been contended that no such amount have been paid, in the counter filed by the respondents, it is stated that subsequent to filing of representation, amounts have already been paid towards all retirement benefits.

Recording the same, this Writ Petition is disposed of and it shall be open for the petitioner to approach the respondents once again by filing appropriate representation in the event of any other amounts, which he is entitled to, and which has remained un-paid. On receipt of such representation, respondents are directed to consider the same and pass appropriate orders in accordance with law. No costs.

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B. Prakash Rao, J

2nd December, 2004

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To

1 The Regl. Provident Fund Commissioner, 6, Hazuri Lane, Naupada, Thane-400602.
2 The Managing Director., Bayer (India) Ltd., Express Towers, Nariman Point, Mumbai.
3 The Branch Manager, Bayer (India) Ltd., rep. Secunderabad.

4 Two CD Copies